

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

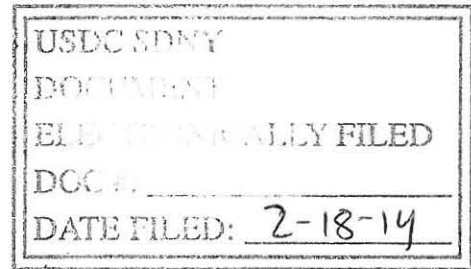
MICHAEL WILLIAMS,

Plaintiff,

v.

RAYMOND KELLY, STATE OF NEW
YORK, CITY OF NEW YORK, TWENTY
FIFTH PRECINCT,

Defendants.



11 Civ. 9607 (PAC) (KNF)

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

HONORABLE PAUL A. CROTTY, United States District Judge:

In December 2011, *pro se* Plaintiff Michael Williams (“Plaintiff”) brought this action against Raymond Kelly, the City of New York (collectively, “City Defendants”), the State of New York, and the Twenty Fifth Precinct under 42 U.S.C. § 1983, alleging that he was assaulted by police officers during a stripsearch. On January 31, 2012, the Court referred the matter to Magistrate Judge Kevin Nathaniel Fox. After Plaintiff failed to attend three court conferences, City Defendants filed a motion to dismiss for failure to prosecute on May 15, 2013. On August 15, 2013, Magistrate Judge Fox issued a Report and Recommendation (“R&R”) that City Defendants’ motion to dismiss should be granted. (ECF No. 37.)

The Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). The Court may adopt those portions of the R&R to which no timely objection has been made, so long as there is no clear error on the face of the record. *Wilds v. United Parcel Serv., Inc.*, 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003). After being served with a copy of Magistrate Judge Fox’s recommended disposition, Plaintiff had fourteen days to file specific written objections to the proposed findings and recommendations. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2). Plaintiff’s failure to file timely objections to the R&R results in waiver of those objections. *See Thomas v. Arn*, 474

U.S. 140, 155 (1985). Thus, the Court reviews the R&R for clear error. Having found none, the Court hereby adopts the R&R in full.

Accordingly, City Defendants' motion to dismiss is GRANTED. Pursuant to 28 U.S.C 1915(a), I find that any appeal from this order would not be taken in good faith. The Clerk of Court is directed to enter judgment and to close this case.

Dated: New York, New York
February 18, ~~2013~~
2014

SO ORDERED



PAUL A. CROTTY
United States District Judge

Copies mailed by chambers to:

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